

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

COLUMBIA SPORTSWEAR COMPANY

Case No.: 3:23-cv-00594-AB

Plaintiff,

v.

TRIAL MANAGEMENT ORDER

WILLIAM FERREIRA, et al.

Defendant.

1. The Pretrial Conference is set on 6/16/2025 in Portland Courtroom 14B.
2. The Trial – Jury is set to begin on 6/23/2025 in Portland Courtroom 14B.

First Wave of Documents Due 4 Weeks Before the Pretrial Conference

Item	Description	Filed?	Copy? ¹
Itemized List of Economic Damages	Specify damages sought and how such damages will be proven — i.e., through which exhibits and/or witness testimony.	Yes	Yes
Trial Memoranda	Provide a brief summary of all material, factual and legal contentions along with the elements of each claim and/or defense. Trial memoranda are limited to 15 pages without leave of court.	Yes	Yes

Second Wave of Documents Due 3 Weeks Before the Pretrial Conference

Item	Description	Filed?	Copy?
Motions in Limine	All motions in limine shall be filed as sub-parts within a single document not to exceed 10 pages without leave of court. Responses to motions in limine (<i>see</i> third wave) shall not exceed 10 pages without leave of court. Conferral required — <i>see</i> LR 7-1.	Yes	Yes
Proposed Voir Dire Questions	The court will consider granting each party a brief opportunity to follow-up on the court's questioning during voir dire. If any questioning is undertaken by counsel, it shall be restricted to areas approved by the court.	Yes	Yes
Proposed Verdict Form	Each party shall submit a proposed verdict form by email to the courtroom deputy in Word format.	Yes	Yes

Exhibits and Joint List of Exhibits and Objections to Exhibits	<p><u>The parties are ordered to jointly file an exhibit list that identifies (1) all stipulated exhibits that may be received without objection; and (2) all remaining exhibits to be offered by any party and a one-line summary statement of the bases for all objections to any proffered exhibit and a one-line summary statement of the response to the objection.</u></p> <p><u>Copy</u> of each exhibit.</p> <p>Plaintiff's exhibits shall be numbered on yellow exhibit stickers starting with "1".</p> <p>Defendant's exhibits shall be numbered on blue exhibit stickers starting with "501".</p> <p>The case number shall be printed on each exhibit sticker. Each exhibit shall be paginated.</p> <p>The original and judge's copy of all exhibits shall be placed into separate, three-hole binders with clearly marked index tabs, numbered for each exhibit.</p> <p>Original exhibits themselves (including original impeachment exhibits²) are not filed but must be given to the CRD the morning of the first day of trial, updated to reflect rulings from the pretrial conference.</p>	DO NOT FILE EXHIBITS Only file Joint List of Exhibits and Objections to Exhibits	Yes
Joint Witness List	<p>Jointly file a witness list that identifies all proposed trial witnesses and indicates:</p> <ol style="list-style-type: none"> 1. all witnesses whose testimony may be received without objection; 2. all other witness testimony that will be the subject of objection together with a concise summary of the challenged testimony, a one-line statement of the admissible purposes for which that challenged testimony is proffered, and a one-line summary statement of the bases for all objections to that proffered testimony; and 3. an estimate of the time necessary to complete the testimony of each witness. <p>For each witness, denote whether the witness will testify as a lay witness or expert witness.</p> <ul style="list-style-type: none"> • For lay witnesses: list all parties, corporate representatives, and other witnesses to be called, • For expert witnesses, supply a written report of each expert in accordance with the requirements 	Yes	Yes

Identify Deposition Testimony Used In Lieu of Live Testimony	If any party intends to use a deposition in lieu of live testimony under Federal Rule of Civil Procedure 32, they shall file a list identifying the deposition that they plan to use and explain how the use of the deposition testimony is permitted under Rule 32. <i>Do not file the underlying deposition designations sought to be admitted. The Court will provide further guidance on deposition designations at the pretrial conference.</i>	Yes	Yes
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Third Wave of Documents Due 2 Weeks Before the Pretrial Conference

Item	Filed?	Copy?
Joint list of all rebuttal witnesses and exhibits.	Yes	Yes
Responses to motions in limine.	Yes	Yes
Plaintiff and defendant shall separately submit a one-page listing of all potential witnesses.	Yes	Yes
Impeachment Witnesses or Exhibits: Names and statements of impeachment witnesses, and/or copies of impeachment exhibits shall be sealed and delivered to the court.	NO – DO NOT FILE	Yes – to court only
Proposed Joint Jury Instructions. The parties shall submit a single set of jury instructions by email to the courtroom deputy in Word format, in the order that the parties wish them to be given. The parties shall identify all agreed upon instructions as "joint" instructions. If the parties disagree as to the form or content of any instruction, two alternative proposed instructions may be submitted along with a brief analysis (which shall include any relevant legal authority) as to why one instruction should be given over the other. These disputed instructions should be identified as to the party submitting .	Yes	Yes
If there are more than 20 instructions, include an index. Where topics are covered by 9th Circuit Model Jury Instructions or by Oregon State Bar UCJI, simply indicate which number should be used. Each instruction, outside of the model, shall be on a separate sheet of paper citing authority in support of each principle.		

Fourth Wave of Documents Due 2 Business Days Following Filing of the Third Wave of Documents

Item	Description	Filed?	Copy?
Joint Ruling Chart – Motions in Limine	Attorneys to prepare and submit to the court an agreed upon chart of all motions in limine which the court is to consider	NO – DO NOT FILE	Yes – email to the courtroom deputy in Word format
NOTE: If rulings on motions in limine relate to objections to witnesses and/or exhibits, please cross-reference.			

Pretrial Conference

During the pretrial conference, be prepared to discuss the following:

- a. Exhibit and witness objections;
- b. What, if any, technological aids will be used to display exhibits to the jury;
- c. Deposition testimony objections;
- d. Motions in limine;
- e. Voir dire matters;
- f. Jury instructions;
- g. Verdict form; and,
- h. Settlement and/or mediation efforts.

Two Business Days Following the Pretrial Conference

The Parties shall file updated exhibit lists and JERS thumb drive reflecting the Court's rulings from the pretrial conference.³ The exhibit lists shall contain three columns to the right of the exhibit description labeled: "Stipulated," "Preadmitted," "Offered," and "Received," in that order. Exhibit lists containing proposed supplemental exhibits must be captioned as "First (Second...) Amended Exhibit List" and must list the proposed exhibits as well as all previous exhibits. Impeachment exhibits shall be identified on the exhibit list simply as "Impeachment Exhibit" (no further description).

No exhibits or testimony will be received into evidence at trial, nor will any amended pleadings or supplemental jury instructions be accepted unless presented in accordance with this order. Late submissions will not be accepted absent a strong showing of good cause balanced against any prejudice to the opposing party.

For further information on trial procedures, please refer to the Trial Court Guidelines for the District of Oregon at ord.uscourts.gov/trial-court-guidelines.

IT IS SO ORDERED.

DATED this 2nd day of January, 2025

/s/Amy M. Baggio

Honorable Amy M. Baggio
United States District Judge.

¹ All judge's copies of trial documents shall be 3-hole punched on the left side before submission. Judge's copies of documents are to be submitted the same day the original document is filed.

² See Third Wave for submission of judge's copy of impeachment exhibits.

³ Exhibits are also to be submitted in electronic format on a thumb drive. Separate order to follow with instructions for providing the electronic exhibits for JERS.